

MINUTES OF MEETING

**BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED
INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS
(APELSCIDLA BOARD)**

LAND SURVEYORS

**INFORMAL FACT-FINDING CONFERENCES
JUNE 5, 2003 (2:30 p.m.)**

The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects convened in Richmond, Virginia, for the purpose of holding Informal Fact-Finding Conferences pursuant to the Administrative Process Act.

John M. Elkin, Jr., Board Member, Presided. No other Board members were present.

Douglas W. Schroder appeared for the Department of Professional and Occupational Regulation.

The conferences were recorded by Inge Snead & Associates, LTD and the Summaries or Consent Orders are attached unless no decision was made.

Disc=Disciplinary Case
Lic=Licensing Application

C=Complainant/Claimant
A=Applicant
R=Respondent/Regulant

Participants

1. Richard Hodges
File Number 2002-01549 (Disc)
(No decision made)

Hodges – R (by telephone)
Fortin - C

2. Patrick Neil Hall
File Number 2003-03112 (Lic)

Hall – A


3. Patrick Dennis Leary
File Number 2003-03115 (Lic)

Leary – A

The meeting adjourned at 4:45 p.m.

The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects


Ralph B. Higgins, Chairman


Louise Fontaine Ware, Secretary

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Custodian of Records

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS,
CERTIFIED INTERIOR DESIGNERS AND
LANDSCAPE ARCHITECTS**

**RE: PATRICK NEIL HALL
 APPLICATION FOR A LAND SURVEYOR LICENSE**

FILE NUMBER: 2003-03112

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on June 5, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Patrick Neil Hall on May 20, 2003. The following individuals participated at the conference: Patrick Neil Hall, Applicant; Douglas W. Schroder, Staff Member; and John M. Elkin, Jr., presiding Board Member.

Summation of Facts

1. On March 4, 2003, Mr. Patrick Neil Hall (Hall) submitted an application for a Land Surveyor License to the Board's licensing staff.
2. The Board's licensing staff determined that Hall did not meet the Board's Regulation 18 VAC 10-20-20.C which states "Applicants shall meet applicable entry requirements at the time application is made.", and the Board's Regulation 18 VAC 10-20-310 which states, "An LSIT who, after meeting the requirements of 18 VAC 10-20-300, has a specific record of four years of approved land surveying experience of which a minimum of three years experience has been progressive in complexity and has been on land surveying projects under the supervision of a licensed land surveyor shall be admitted to an examination in the Principles and Practice of Land Surveying and the Virginia state specific examination. Upon passing such examination, the applicant shall be granted a license to practice land surveying, provided the applicant is otherwise qualified."
3. Hall was informed by the Board's licensing staff, in a letter dated December 20, 2002, that 6 months of his experience was approved and could be carried forward for the PLS Examination and that an additional 3 years and 6 months of experience must be verified for the total 4 years required, in accordance with the Board's regulations for licensure.

Conclusion and Recommendation

Based upon the information presented at the conference, I recommend Hall's application for a land surveyor license be approved. The majority of Hall's experience is land surveying rather than engineering and I feel he should receive credit for his experience from January 1996 forward, which totals 6 years and six months. In addition, Hall received his North Carolina land surveyor license in May of 2003. Hall also received his Virginia LSIT in October of 2002.

By: _____
John M. Elkin, Jr., Presiding Board Member

Board for Architects, Professional
Engineers, Land Surveyors, Certified
Interior Designers and Landscape
Architects

Date: _____

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS,
CERTIFIED INTERIOR DESIGNERS AND
LANDSCAPE ARCHITECTS**

**RE: PATRICK DENNIS LEARY
 APPLICATION FOR A LAND SURVEYOR LICENSE**

FILE NUMBER: 2003-03115

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on June 5, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Patrick Dennis Leary on May 20, 2003. The following individuals participated at the conference: Patrick Dennis Leary, Applicant; Douglas W. Schroder, Staff Member; and John M. Elkin, Jr., presiding Board Member.

Summation of Facts

1. On April 11, 2003, Mr. Patrick Dennis Leary (Leary) submitted an application for a Land Surveyor License to the Board's licensing staff.
2. The Board's licensing staff determined that Leary did not meet the Board's 2002 Regulation 18 VAC 10-20-20.C which states "Applicants shall meet applicable entry requirements at the time application is made.", and the Board's 2002 Regulation 18 VAC 10-20-310 which states, "An LSIT who, after meeting the requirements of 18 VAC 10-20-300, has a specific record of four years of approved land surveying experience of which a minimum of three years experience has been progressive in complexity and has been on land surveying projects under the supervision of a licensed land surveyor shall be admitted to an examination in the Principles and Practice of Land Surveying and the Virginia state specific examination. Upon passing such examination, the applicant shall be granted a license to practice land surveying, provided the applicant is otherwise qualified."
3. Leary was informed by the Board's licensing staff, in a letter dated December 20, 2002, that 5 months of his experience was approved and could be carried forward for the PLS Examination and that an additional 3 years and 7 months of experience must be verified for the total 4 years required, in accordance with the Board's regulations for licensure.

4. Leary provided documentation that his position title changed from Engineering Tech. IV to Engineering Tech. III, without change in his duties.
5. Leary passed the Virginia LSIT in October of 2002.

Conclusion and Recommendation

Based upon the information presented at the conference, I recommend Leary's application for a land surveyor license be approved. Leary's change in title from Engineering Tech. IV to Engineering Tech. III, for the period of September 1997 to June of 2002, did not change his responsibilities and experience. The experience for this period was appropriate to qualify for licensure as a land surveyor. In addition, Leary provided experience, since the original review, which qualifies. In total, Leary's experience for the period of December of 1997 through March of 2003, with a gap for his deployment during the Gulf War, is 11 years and 11 months of qualifying experience.

By: _____
John M. Elkin, Jr., Presiding Board Member

Board for Architects, Professional
Engineers, Land Surveyors, Certified
Interior Designers and Landscape
Architects

Date: _____